

FILED (DROP BOX)

JUL 01 2025

Mohammed Zafaranchi
88 Havenwood
Irvine, CA 92614
Defendant, filing pro se pending leave

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
THE HONORABLE JOHN C. COUGHENOUR DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MOHAMMED ZAFARANCHI,

Defendant.

Case No.: CR22-122-JCC

**DEFENDANT'S MOTION TO VACATE
DOCKET 51 AND DISMISS THE
INDICTMENT FOR SPEEDY TRIAL
ACT VIOLATION**

NOTE ON MOTION CALENDAR:
Hearing Requested Before July 7, 2025
DISPOSITIVE MOTION

ORAL ARGUMENT REQUESTED

Notice: This motion is filed concurrently with Defendant's Motion for Leave to File Pro Se and Motion to Expedite Briefing Schedule.

Defendant, Mohammed Zafaranchi, respectfully moves this Court to vacate its Order of July 17, 2023 (Dkt. 51), and to dismiss the Indictment for violations of the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.* If the Court is disinclined to grant this motion on the papers, Defendant requests a hearing at the Court's earliest convenience.

Defendant wishes to make clear that this motion is not intended as criticism of the Court or opposing counsel. It is respectfully submitted solely to preserve Defendant's statutory and constitutional rights under binding Supreme Court and Ninth Circuit precedent.

1 **SUMMARY OF ARGUMENT**

2 This motion seeks dismissal of the indictment for a clear and non-waivable violation of
3 the Speedy Trial Act. On July 17, 2023, the Court entered an order (Dkt. 51) continuing the trial
4 for nearly a year based solely on boilerplate, party-proposed language, without making any
5 contemporaneous, case-specific judicial findings as required by law. Over 367 non-excludable
6 days have elapsed, far exceeding the Act's 70-day limit. The Supreme Court and Ninth Circuit
7 are clear: such deficiencies require dismissal, and neither party stipulation nor post hoc rationale
8 can cure the violation. Dismissal with prejudice is mandated by statute and binding precedent.

10 **I. INTRODUCTION — THE STATUTE FORBIDS RETROACTIVE “CURES”**

11 The Speedy-Trial Act (“STA”) guarantees that a felony trial begins within 70 non-
12 excludable days and declares that guarantee non-waivable. 18 U.S.C. § 3161(c)(1); *Zedner v.*
13 *United States*, 547 U.S. 489, 500-02 (2006).

14 A recent review of docket timing clearly demonstrates an STA violation. On 17 July 2023 the
15 Court signed what was substantively the parties’ “(Proposed) Order Continuing Trial Date” (Dkt.
16 51. “Order 51”), which

- 17
- 18 • moved trial about eleven months — from 23 October 2023 to 16 September 2024, and
 - 19 • purported to exclude the entire 427-day interval from 17 July 2023, through 16
 - 20 September 2024, from STA computation.
- 21

22 Order 51 is fatally deficient because it consists of boiler-plate language copied from the
23 parties’ draft (see Dkt. 48-1), omits any case-specific judicial analysis, and fails to meaningfully
24 consider the public’s interest in a speedy trial. *Zedner* requires that ends-of-justice findings
25 appear “on the record at the time the continuance is granted,” and the Ninth Circuit vacates
26

1 continuances where, as here, the judge “simply adopted” the parties’ template. *United States v.*
2 *Ramirez-Cortez*, 213 F.3d 1149, 1154-55 (9th Cir. 2000); *United States v. Clymer*, 25 F.3d 824,
3 828-29 (9th Cir. 1994).

4 Without Order 51’s exclusion, approximately 367 non-excludable days have elapsed — more
5 than five times the 70-day limit — so 18 U.S.C. § 3162(a)(2) requires dismissal. Because *Zedner*
6 forbids nunc-pro-tunc repairs, dismissal is the only lawful remedy. Defendant therefore moves to
7 vacate Dkt. 51, declare the Speedy Trial clock exceeded, and dismiss the indictment. Defendant
8 further requests oral argument pursuant to Local Rule; if the Court is disinclined to grant the
9 motion on the papers, Defendant asks that a hearing be set at the earliest available date.

11 II. RELEVANT CHRONOLOGY & DAY-COUNT

12 Segment	Days running
13 13–14 Sep 2022 (arraignment + following day) 2	
14 16–20 Sep 2022	5
15 17 Jul 2023 → 10 Mar 2024	238
16 13 Mar 2024 → 4 Apr 2024	23
17 18 Apr 2024 → 25 Jul 2024	99
18 Total non-excluded days	≈ 367

20 *Spreadsheet with docket citations is attached as Exhibit A.*

21 **Note on April 2024 tolling:** The motion to depose Spencer Martin and related sealing motions
22 (Dkts. 55-65) tolled time from April 5, 2024, through April 17, 2024, under § 3161(h)(1)(D);
23 those 13 days are not counted above.
24
25
26

1 **III. Order 51 is invalid because it lacks the case-specific, contemporaneous findings**
2 **required by § 3161(h)(7).**
3

- 4 1. **Boiler-plate findings adopted verbatim from a stipulation** are insufficient. *Ramirez-*
5 *Cortez*, 213 F.3d at 1155 (reversing where court “simply adopted” parties’ proposed
6 order (Dkt. 48-1) without independent analysis). Order 51’s text mirrors the parties’ draft
7 and adds no independent judicial reasoning. Adoption without analysis violates *Zedner*
8 and *Ramirez-Cortez* because the Court’s own reasoning must appear. See *Clymer*, 25
9 F.3d at 828–29.
10

11 **Neither party stipulation nor defense waiver can excuse the court’s independent**
12 **statutory obligation.** The Ninth Circuit and Supreme Court have made clear that even
13 when both parties jointly request a continuance, the district court must make its own
14 contemporaneous, case-specific findings to justify any Speedy Trial Act exclusion. “An
15 agreement between the parties does not relieve the district court of its obligation to make
16 its own findings.” (emphasis added) *United States v. Ramirez-Cortez*, 213 F.3d 1149,
17 1154–55 (9th Cir. 2000); see also *United States v. Clymer*, 25 F.3d 824, 828–29 (9th Cir.
18 1994); *Zedner v. United States*, 547 U.S. 489, 500–02 (2006). Party stipulation does not
19 validate a substantively deficient order or waive the statutory protections.
20
21

- 22 2. **No public-interest analysis — The Ninth Circuit requires courts to “explicitly”**
23 **balance and consider the interests of the public as well as the defendant in any**
24 **Speedy Trial Act continuance.** *United States v. Perez-Reveles*, 715 F.2d 1348, 1352
25 (9th Cir. 1983); *United States v. Williams*, 511 F.3d 1044, 1048 (9th Cir. 2007) (“[B]are
26 conclusions are fatal.”). Section 3161(h)(7)(A) mandates this analysis, which is absent

1 here. The order states that delay “outweighs the interests of the defendants” but is silent
2 as to the public. That omission alone violates the statute and Supreme Court precedent.
3 See Zedner, 547 U.S. at 508. The omission is not academic. The public shares a statutory
4 interest in prompt adjudication so that (i) court resources are not consumed by stale
5 prosecutions, (ii) witnesses testify while memories are fresh, and (iii) investors,
6 employees, and consumers affected by the charged conduct receive timely closure. The
7 Ninth Circuit has emphasized that these systemic interests must appear “explicitly in the
8 district court’s calculus.” *United States v. Perez-Reveles*, 715 F.2d 1348, 1352 (9th Cir.
9 1983). Order 51 contains no such calculus, **nor does it include** an explanation of *why*.
10 The Ninth Circuit has held that such bare conclusions are “fatal.” *United States v.*
11 *Williams*, 511 F.3d 1044, 1048 (9th Cir. 2007). The only mention of the public interest in
12 Order 51 is a formulaic statement that fails to discuss any specific public factors, harms,
13 or reasons for delay unique to this prosecution.
14

- 15
16 • A mere recitation that “the ends of justice outweigh the best interests of the public”
17 — without any explanation or factual support — does not satisfy the requirements of
18 § 3161(h)(7)(A) or binding precedent. Courts must “explicitly” address and balance
19 the public’s statutory interest in a speedy trial, and the failure to do so is reversible
20 error. See *Williams*, 511 F.3d at 1048; *Perez-Reveles*, 715 F.2d at 1352.
21
- 22 • Here, the order’s reference to the public interest is nothing more than a conclusory
23 statement that simply tracks the statutory language, with no facts or reasons particular
24 to this case. The Ninth Circuit and Supreme Court have made clear that this is
25 insufficient; the court must explain on the record why, in this specific case, the
26

1 public's interest is outweighed, not merely recite statutory phrases. See *Zedner*, 547
2 U.S. at 508.

- 3 3. **An eleven-month exclusion without specific judicial justification.** Long continuances
4 demand detailed, articulated justification **from the Court**. *United States v. Lloyd*, 125
5 F.3d 1263, 1268-69 (9th Cir. 1997). The longer the exclusion, the more detailed the
6 justification required. *United States v. Jordan*, 915 F.2d 563, 565–66 (9th Cir. 1990).
7 Nothing in Order 51 addresses witness unavailability, discovery complexity, or
8 scheduling conflicts sufficient to justify nearly a year of delay. Even if the Government
9 invokes the “complex-case” prong of § 3161(h)(7)(B)(ii), the statute still demands
10 **contemporaneous, case-specific findings**—complexity is not a free pass. Even when an
11 order recites “due diligence” or the need for counsel to prepare, the Ninth Circuit requires
12 the court to explain why, in this particular case, those factors actually justify such an
13 extended delay, rather than simply repeating the statutory language. See *United States v.*
14 *Zhou*, 829 F.3d 994, 1001 (9th Cir. 2016). The Ninth Circuit has vacated exclusions
15 where the court recited complexity but failed to explain *why* that complexity justified the
16 particular length of delay. *United States v. Zhou*, 829 F.3d 994, 1001 (9th Cir. 2016)
17 (reversing where district court “merely invoked the word ‘complex’ without detailing its
18 reasoning”). Order 51 does exactly what *Zhou* forbids.
19
20
21
22 4. **Non-waivability** — Defendant’s waiver filed with the motion (Dkt. 50) cannot validate
23 the continuance. *Zedner*, 547 U.S. at 500-02.
24
25 5. **No contemporaneous oral findings** — No hearing was held, and no transcript or minute
26 entry exists for July 17, 2023, when Order 51 was entered. The docket (Entries 48–51)

1 confirms that the continuance was granted without any on-the-record, case-specific
2 findings by the Court, as required by 18 U.S.C. § 3161(h)(7).
3 Under *Zedner v. United States*, 547 U.S. 489, 506–07 (2006), and *United States v.*
4 *Ramirez-Cortez*, 213 F.3d 1149, 1154–55 (9th Cir. 2000), a continuance must be
5 supported by contemporaneous, judicial findings made on the record. Post-hoc reasoning
6 cannot cure a deficient order. Nearly two years have passed; nunc pro tunc elaboration is
7 legally prohibited.

9 Note: Although the underlying motion (Dkt. 48) referenced circumstances, *the Court did*
10 *not incorporate those specifics into its findings in Order 51. Case-specific analysis must come*
11 *from the Court itself, demonstrating its independent consideration, not be inferred from a*
12 *separate party pleading.*

14 Moreover, the nearly eleven-month continuance in this case made it especially critical for
15 the Court to articulate detailed, case-specific reasons justifying such an extraordinary delay. The
16 Ninth Circuit has repeatedly held that the longer the exclusion under the Speedy Trial Act, the
17 more particularized and explicit the court’s findings must be. See *United States v. Zhou*, 829
18 F.3d 994, 1001 (9th Cir. 2016) (reversing where district court “merely invoked the word
19 ‘complex’ without detailing its reasoning” for a lengthy continuance); *United States v. Jordan*,
20 915 F.2d 563, 565–66 (9th Cir. 1990) (“[T]he greater the length of the delay, the more searching
21 the district court’s inquiry must be.”). Order 51, by contrast, contains only generic, boilerplate
22 recitations of the statutory language, with no facts specific to this case or explanation of why
23 nearly a full year was necessary. The absence of any meaningful explanation is particularly
24 problematic given the length of the continuance, and it renders the order fatally deficient under
25 controlling law.
26

1 **IV. CONSEQUENCE: 367 > 70 ⇒ MANDATORY DISMISSAL**

2 **Later continuances cannot resurrect elapsed time.**

3 Once the 70-day limit is exceeded, the violation is complete and “cannot be cured by a
4 subsequent continuance, no matter how well supported.” *United States v. Ramirez-Cortez*, 213
5 F.3d 1149, 1154 n.6 (9th Cir. 2000). The Ninth Circuit has reiterated that point: when the clock
6 has already run, later exclusions “do not retroactively approve the time that has already elapsed.”
7 *United States v. Shetty*, 130 F.3d 1324, 1329 (9th Cir. 1997). Continuances obtained after July
8 17, 2023, may toll future days, but they cannot erase the 367 non-excludable days that had
9 already accrued; dismissal is therefore mandatory. Thus, the passage of more than 367 non-
10 excludable days is a violation that cannot be “cured” by subsequent orders, regardless of their
11 content or timing.

12
13 Section 3162(a)(2) directs that the indictment “**shall be dismissed**” when the 70-day cap is
14 exceeded. Prejudice affects whether dismissal is *with* vs. *without* prejudice—but dismissal itself
15 is non-discretionary. *Ramirez-Cortez*, 213 F.3d at 1156. (vacating conviction where defective
16 continuance caused STA violation); *United States v. Pollock*, 726 F.2d 1456, 1462-63 (9th Cir.
17 1984) (same).

18
19 **V. TIMELINESS OF THIS MOTION**

20 Under § 3162(a)(2), a Speedy-Trial-Act motion must be made before trial starts; if the
21 court erroneously denied relief, the issue is preserved for appeal. Trial is now set for 7 July 2025,
22 so the motion is timely. See *United States v. Berberian*, 851 F.2d 236, 239 (9th Cir. 1988).

23
24 **VI. DISMISSAL WITH PREJUDICE IS WARRANTED**

25 Under 18 U.S.C. § 3162(a)(2), the Court must evaluate three statutory factors to
26 determine whether dismissal should be with or without prejudice: the seriousness of the offense,

1 the facts and circumstances leading to dismissal, and the impact of reprosecution on the
2 administration of justice. Each factor strongly favors dismissal with prejudice in this case.

3 **A. Seriousness of the Offense**

4 While acknowledging the seriousness of the charges, courts routinely dismiss indictments
5 with prejudice for clear procedural violations of the Speedy Trial Act, particularly when delays
6 far exceed statutory limits. Here, the magnitude of the procedural violation—a delay more than
7 five times the permissible period—significantly outweighs prosecutorial interests in
8 reprosecution. Wire-fraud and money-laundering charges are serious, but seriousness “does not
9 automatically compel denial of dismissal with prejudice.” *United States v. Taylor*, 487 U.S. 326,
10 344 (1988). When the Government chooses wide-ranging, document-intensive theories, it
11 assumes the STA burdens that complexity creates.

12 The Ninth Circuit has affirmed dismissal with prejudice even for narcotics-trafficking
13 and other grave felonies when the government “bears principal responsibility for missing the
14 Act’s deadline.” *United States v. Ramirez*, 973 F.2d 36, 40 (1st Cir. 1992) (affirming with-
15 prejudice dismissal of meth-distribution indictment). The same principle holds here.

16 **B. Facts and Circumstances Leading to the STA Violation**

17 The Speedy Trial Act violation occurred when the Court, in its Order 51, adopted
18 verbatim the boilerplate continuance language from the parties' jointly proposed order (Dkt. 48-
19 1). While the continuance was sought jointly by the defense and unopposed by the government,
20 the Court did not make its own required independent, contemporaneous, and case-specific
21 findings. This adoption of the parties' draft without distinct judicial analysis directly contravenes
22 the explicit mandates of *Zedner v. United States*, 547 U.S. at 507 (“Without on-the-record
23 findings, there can be no ends-of-justice continuance.”) and Ninth Circuit precedent.

1 The extraordinary length of the delay—approximately 367 non-excludable days—reflects
2 substantial procedural oversight. Crucially, this delay has severely prejudiced Defendant’s
3 constitutional rights. Key witness memories have eroded over this extensive period, undermining
4 Defendant’s ability to secure critical, exculpatory testimony and evidence necessary for a
5 complete defense. Witness availability and cooperation have likewise diminished due to passage
6 of time, further impairing defense efforts.

8 **C. Impact of Reprosecution on the Administration of Justice**

9 Permitting reprosecution following such significant procedural failures would severely
10 undermine the integrity and accountability of the judicial system. Allowing reprosecution signals
11 judicial tolerance of substantial governmental oversight, weakening public confidence in
12 procedural fairness and encouraging lax adherence to statutory mandates.

13 The public interest demands accountability, fairness, and respect for constitutional and statutory
14 rights. A dismissal without prejudice would effectively reward prosecutorial and judicial neglect,
15 diminishing public trust in the federal criminal justice system and compromising future
16 adherence to statutory obligations.

18 **D. Defendant’s Prejudice**

19 Defendant has suffered substantial, tangible prejudice due to the prolonged delay. Critical
20 defense evidence and testimony have been lost or severely compromised. Witness recollections,
21 essential to Defendant’s defense, have deteriorated significantly. Moreover, Defendant has
22 endured heightened anxiety, profound reputational harm, financial hardship from extended
23 litigation, and significant disruptions to personal and professional life. The Supreme Court
24 explicitly recognizes these harms—including oppressive pretrial delay, anxiety, and
25
26

1 impairment of defense—as critical considerations favoring dismissal with prejudice. See
2 United States v. Taylor, 487 U.S. 326, 340–41 (1988).
3 Such tangible prejudice weighs heavily toward dismissal with prejudice. *Ramirez-Cortez*, 213
4 F.3d at 1156.

5
6 Given these compelling factors—severity of the procedural violation, significant
7 prejudice to Defendant, and adverse impacts on public trust and justice administration—
8 dismissal with prejudice is not only justified but necessary. Defendant respectfully urges this
9 Court to grant dismissal with prejudice as the only appropriate remedy sufficient to rectify this
10 substantial Speedy Trial Act violation and to uphold the Act's critical protections.

11 **VII. CONCLUSION**

12 The Speedy Trial Act's protections are mandatory and non-waivable. Here, more than
13 367 non-excludable days elapsed without a valid, case-specific ends-of-justice finding. Both
14 Supreme Court and Ninth Circuit precedent make clear that this violation cannot be cured by
15 subsequent orders, party agreement, or nunc pro tunc rationales. Because the 70-day statutory
16 limit was exceeded, dismissal of the indictment is required. Any other result would undermine
17 the fundamental right to a speedy trial and the integrity of the Act. Dismissal is not merely
18 authorized; it is the only lawful remedy under the Speedy Trial Act.

19 **VIII. RELIEF REQUESTED**

20 For the foregoing reasons, Defendant respectfully asks the Court to:

- 21 1. **VACATE** Order 51 (Dkt. 51);
- 22 2. **DECLARE** that at least 367 non-excludable days have elapsed;
- 23 3. **DISMISS** the indictment **WITH PREJUDICE** under 18 U.S.C. § 3162(a)(2); and
- 24
- 25
- 26

1 4. **VACATE** all trial-related dates and release Defendant from existing pre-trial conditions.

2 5. **SET ORAL ARGUMENT** if the Court is inclined to deny this motion on the papers,

3 Defendant requests that a hearing be set at the earliest possible date.

4
5 Therefore, Defendant respectfully asks the Court to expedite consideration of this motion by
6 setting a 2-day response deadline and ruling before July 7, 2025, due to the statutory Speedy
7 Trial Act violation and the imminent trial date.

8
9 **Defendant respectfully states for the record** that established case law from the Supreme
10 Court (*Zedner*) and the Ninth Circuit (*United States v. Jordan*) prohibits retroactive or "after-the-
11 fact" findings to cure a Speedy Trial Act violation. This statement is included to fully preserve
12 this important legal issue for any potential appeal. If the Court attempts to add post-hoc or nunc-
13 pro-tunc findings, Defendant will immediately seek a stay and writ of mandamus relief. *Zedner*
14 bars retroactive cures, and Ninth Circuit precedent (*United States v. Jordan*, 915 F.2d 563 (9th
15 Cir. 1990)) supports such relief in that circumstance. This circuit has not hesitated to grant
16 mandamus where the district court attempts to retroactively cure a Speedy Trial Act violation.

17
18 **Defendant trusts the Court understands this position is stated not out of defiance, but**
19 **out of a duty to zealously protect Defendant's rights.**

20 DATED this 1st day of July 2025.

21 Respectfully submitted,

22 /s/ Mohammed Zafaranchi,

23 Mohammed Zafaranchi

24 Defendant (pro se filing pending Court approval)

25 88 Havenwood, Irvine CA 92614
26

1 **CERTIFICATE OF SERVICE**

2 I HEREBY CERTIFY that on this 1st day of July, 2025, I caused a true and correct copy
3 of the foregoing to be served as follows:

4 **By hand-delivery to:**

5 United States Attorney's Office – Western District of Washington

6 Attn: Seth C. Wilkinson, Lauren Watts Staniar, and Dane A. Westermeyer

7 700 Stewart Street, Suite 5220

8 Seattle, WA 98101

9 **By email to Defendant's counsel of record:**

10 David Z. Chesnoff – dzchesnoff@cslawoffice.net

11 Richard A. Schonfeld – rschonfeld@cslawoffice.net

12 Mark N. Bartlett – MarkBartlett@dwt.com

13 Dated: July 1, 2025

14 Respectfully submitted,

15 /s/ Mohammed Zafaranchi

16 Mohammed Zafaranchi

17 88 Havenwood

18 Irvine, CA 92614

EXHIBIT A

Exhibit A — Speedy Trial Day Count Table*United States v. Mohammed Zafaranchi, Case No. CR22-122-JCC*

Time Period	Event or Docket Entry	Days Counted	Excluded?	Notes
Sep 13–14, 2022	Arraignment and next day	2	No	Clock starts after arraignment on indictment
Sep 15–20, 2022	No pending motions	5	No	No excludable events
Jul 17, 2023 – Mar 10, 2024	Based on Order 51 (Dkt. 51), trial reset; no valid findings	238	No	Continuance defective under Zedner; order lacked contemporaneous, case-specific findings
Mar 13 – Apr 4, 2024	No pending motions	23	No	Post-hearing period; clock resumes
Apr 5 – Apr 17, 2024	Motion to depose filed and resolved (Dkts. 55–65)	—	Yes	Time excluded under 18 U.S.C. § 3161(h)(1)(D)
Apr 18 – Jul 25, 2024	No motions pending	99	No	Clock runs uninterrupted
TOTAL		367		

EXHIBIT B

1 THE HONORABLE JOHN C. COUGHENOUR

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4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 MOHAMMED ZAFARANCHI,

13 Defendant.

Case No.: CR22-122-JCC

**(PROPOSED) ORDER GRANTING
DEFENDANT'S MOTION TO VACATE
DOCKET 51 AND DISMISS THE
INDICTMENT FOR SPEEDY TRIAL
ACT VIOLATION**

14
15 This matter comes before the Court on Defendant Mohammed Zafaranchi's Motion to
16 Vacate Docket No. 51 and Dismiss the Indictment for Speedy Trial Act Violation,
17
18 notwithstanding Defendant's current representation by counsel. The Court has considered the
19 motion, accompanying exhibits, applicable statutory provisions, and relevant binding precedent.

20
21 The Court finds that:

- 22 1. The Court's Order of July 17, 2023 (Dkt. 51), granting an eleven-month continuance,
23 does not contain contemporaneous, case-specific findings required under 18 U.S.C. §
24 3161(h)(7)(A).
25
26

2. The record lacks any independent judicial analysis justifying the exclusion of time under the “ends of justice” provision, in violation of the standards set forth in *Zedner v. United States*, 547 U.S. 489 (2006), and *United States v. Ramirez-Cortez*, 213 F.3d 1149 (9th Cir. 2000).
3. As a result, approximately 367 non-excludable days have elapsed between arraignment and the current trial date, exceeding the 70-day limit imposed by 18 U.S.C. § 3161(c)(1).
4. Pursuant to 18 U.S.C. § 3162(a)(2), dismissal of the indictment is required, as the Speedy Trial Act violation cannot be retroactively cured by post hoc findings.
5. Considering the statutory factors under § 3162(a)(2)—including the length of delay, lack of case-specific justification, prejudice to the Defendant, and the integrity of the judicial process—the Court finds that dismissal with prejudice is appropriate.

THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Court’s Order dated July 17, 2023 (Dkt. 51) is **VACATED**;
2. The Court finds that at least 367 non-excludable days have elapsed under the Speedy Trial Act;
3. The indictment in this case is **DISMISSED WITH PREJUDICE** pursuant to 18 U.S.C. § 3162(a)(2);
4. All pending trial dates and pretrial deadlines are **VACATED**;
5. Defendant is hereby **RELEASED from all pretrial supervision and conditions**;
6. The Clerk is directed to terminate this case on the docket.

IT IS SO ORDERED.

1 DATED this ____ day of _____, 2025.

2

3

JOHN C. COUGHENOUR
United States District Judge

4

5

6 Presented by:

7

/s/ Mohammed Zafaranchi,

8

Mohammed Zafaranchi

9

Defendant (pro se filing pending Court approval)

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